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September 6, 2018

**VIA E-FILING**

The Honorable Christopher J. Burke  
United States District Court  
844 King Street  
Wilmington, DE 19801

Re: *Confluent Surgical, Inc., Integra Lifesciences Corporation, and Integra LifeSciences Sales LLC v. HyperBranch Medical Technology, Inc.*,  
Civil Action No. 17-688-LPS-CJB

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Dear Judge Burke:

In accordance with the Court's August 13, 2018 Oral Order, the parties hereby respectfully submit their rankings of the Prioritized Terms in numbered order, with regard to each term's importance to that side (i.e., with the most important term ranked #1, the second most important term ranked #2, etc.).

**Plaintiffs' Ranking of Prioritized Terms:**

1. "...dispensing a mixture..."
2. "...a system for mixing at least a first component and second component..."
3. "...vent lumen..."
4. "...inner shaft..."
5. the "elongated" claim limitations
6. "...a source of pressurized air..." / "...a source of pressurized fluid..."
7. "...radially extending slot[s]..." / "...slots..."
8. "...annular recess..."
9. "...cylindrical..." / "...substantially cylindrical..."
10. "...outer sleeve..."
11. "...outer diameter of the insert is uniform along an entire length of the insert..."
12. "...a connector extending proximally from and operably connected to the body..."

**HyperBranch's Ranking of Prioritized Terms:**

Consistent with its organization of these terms in its claim construction briefing, HyperBranch has grouped together certain claim terms or phrases that HyperBranch believes present the same or similar issues and that, in its view, should be considered together.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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HyperBranch also recognizes that it may potentially be useful or more efficient to consider related groups of terms together as well, such as groups 2 & 11 or groups 5 & 6, using HyperBranch's priority rankings below.

1. "vent lumen"
2. "inner shaft defines/defining . . ." phrases  
(*i.e.*, "the inner shaft defines at least a first lumen configured for fluid communication with the first source of component and a second lumen configured for fluid communication with the second source of component" / "the inner shaft defining a first lumen configured for fluid communication with the first source of component, a second lumen configured for fluid communication with the second source of component, and a third lumen configured for fluid communication with the source of pressurized air")
3. "radially extending slot(s)" / "slot(s)"
4. "a source of pressurized air" / "a source of pressurized fluid"
5. Phrases directed to the relationship and connection between the connector/manifold element and the (elongated) body element  
(*i.e.*, "elongated portion extending distally from the connector portion" / "an elongated member operably connected to and extending distally from the connector" / "an elongated shaft extending distally from the manifold" / "a connector extending proximally from and operably connected to the body" / "elongated member extending between the connector and the tip")
6. "elongated" body phrases  
(*i.e.*, "elongated" / "elongated shaft" / "elongated member" / "elongated portion")
7. "insert including a substantially cylindrical member" / "substantially cylindrical member"
8. "cylindrical" phrases  
(*i.e.*, "cylindrical" / "the insert including a cylindrical member" / "cylindrical member")
9. "an outer diameter of the insert is uniform along an entire length of the insert" / "outer diameter of the insert is uniform"
10. "annular recess"
11. "inner shaft" (construed alone)
12. "outer sleeve"
13. Phrases from the claim preambles  
(*i.e.*, "dispensing a mixture" / "a system for mixing at least a first component and a second component")

Respectfully submitted,

*/s/ Karen L. Pascale*

Karen L. Pascale (#2903)

cc: Counsel of record (via CM/ECF and e-mail)

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